

Patent
700603.3
(former L&L 271/123)

Amendments to the Claims

Please cancel claims 1-20, 22-25, 31-40, and 49-50 without prejudice.

Please amend claims 21, 26-30, 41-48 as follows:

1-20 (Cancelled)

21. (Currently Amended) A hatched chimeric chicken comprised of progeny of embryonic stem cells having a genome comprising a stably integrated transgene and sustained in culture for more than 60 days, wherein a contribution of the genome of the embryonic stem cells is detected in at least one tissue type of the chimeric chicken by expression of the transgene. ~~progeny having a stably integrated transgene~~

22-25 (Cancelled)

26. (Currently Amended) The chimeric chicken of claim 21 wherein the contribution of the embryonic stem cells is detected in extra-embryonic tissue size of the transgene is greater than 100 kb.

27. (Currently Amended) The chimeric chicken of claim 21 wherein the contribution of the embryonic stem cells ~~exogenous protein~~ is detected in somatic tissue of the chicken.

28. (Currently Amended) The chimeric chicken of claim 27 wherein the ~~exogenous protein is expressed in~~ somatic tissue is endodermal ~~of the chicken.~~

29. (Currently Amended) The chimeric chicken of claim 27 wherein the somatic tissue ~~exogenous protein is in~~ mesodermal.

30. (Currently Amended) The chimeric chicken of claim 21 wherein the mesodermal tissue is lymphocytes of the chicken.

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31-40 (Cancelled)

41. (Currently Amended) A method of creating a chimeric chicken comprising:

selecting chicken embryonic stem cells having a genome comprising a stably integrated transgene from a culture sustained for more than 60 days, ~~wherein the embryonic stem cells have a genome comprising a stably integrated transgene,~~

injecting the embryonic stem cells into a recipient embryo, and

hatching a chimeric chicken from the recipient embryo wherein a contribution of the genome of the embryonic stem cells is detected by expression of the transgene in at least one tissue type of the chimeric chicken the transgene is present in somatic tissue of the chimera.

42. (Currently Amended) The method of claim 41 wherein the injecting step is comprised of injecting embryonic stem cells into a compromised embryo. ~~transgene encodes an exogenous protein.~~

43. (Currently Amended) The method of claim 42 wherein the embryo is compromised by gamma irradiation ~~exogenous protein encoded by the transgene is expressed in the somatic tissue of the chimera.~~

44. (Currently Amended) The method of claim ~~423~~ wherein the embryo is compromised by mechanical removal of cells from the embryo ~~somatic tissue is mesodermal tissue.~~

45. (Currently Amended) The method of claim ~~414~~ wherein the contribution of the embryonic stem cells is detected in extra-embryonic tissue ~~mesodermal tissue is lymphocytes of the chimera.~~

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46. (Currently Amended) The method of claim 41 wherein the contribution of the embryonic stem cells is detected in somatic tissue ~~transgene is comprised of a promoter and an operably-linked selectable marker.~~

47. (Currently Amended) The method of claim 46+ wherein the somatic tissue is ectodermal ~~culture is sustained more than 60 days.~~

48. (Currently Amended) The method of claim 46+ wherein the tissue is endodermal ~~further comprised of the step of breeding two of the chimeras.~~

Please add new claim 51 as follows.

51. (New) The method of claim 46 wherein the tissue is mesodermal.

52. (New) The chimeric chicken of claim 27 wherein somatic tissue is ectodermal.